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Entered on Docket
November 04, 2021
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Honorable Gary Spraker
United States Bankruptcy Judge



6
7 Jeffrey L. Hartman, Esq.
Nevada Bar No. 1607
8 **HARTMAN & HARTMAN**
510 W. Plumb Lane, Suite B
Reno, NV 89509
10 T: (775) 324-2800
F: (775) 324-1818
11 notices@bankruptcyreno.com

Michael S. Budwick, Esq. #938777 – Admitted *Pro Hac Vice*
Solomon B. Genet, Esq. #617911 – Admitted *Pro Hac Vice*
Gil Ben-Ezra, Esq. #118089 – Admitted *Pro Hac Vice*
MELAND BUDWICK, P.A.
3200 Southeast Financial Center
200 South Biscayne Boulevard
Miami, Florida 33131
T: (305) 358-6363
F: (305) 358-1221
mbudwick@melandbudwick.com
sogenet@melandbudwick.com
gbenezra@melandbudwick.com

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14 Attorneys for Christina W. Lovato, Chapter 7 Trustee

15 **UNITED STATES BANKRUPTCY COURT**
16 **DISTRICT OF NEVADA**

17 In re
18 DOUBLE JUMP, INC.
19 Debtor.

Lead Case No.: BK-19-50102-gs
(Chapter 7)

Substantively consolidated with:

19-50130-gs	DC Solar Solutions, Inc.
19-50131-gs	DC Solar Distribution, Inc.
19-50135-gs	DC Solar Freedom, Inc.

20 Affects:
21 DC Solar Solutions, Inc.
22 DC Solar Distribution, Inc.
23 DC Solar Freedom, Inc.
24 Double Jump, Inc.

25 **ORDER GRANTING MOTION FOR**
ORDER (1) APPROVING COMPROMISE
AND SETTLEMENT AGREEMENT WITH
RADIAN GENERATION LLC; AND (2)
FOR AWARD OF CONTINGENCY FEE
[ECF No. 2859]

26 Hearing Date: October 28, 2021
27 Hearing Time: 9:30 A.M.

28 The matter came before the Court on the Motion (“***Motion***”) by Christina Lovato, the duly

1 appointed and acting trustee (“*Trustee*”) for the substantively consolidated chapter 7 estates of DC
 2 Solar Solutions, Inc. (“*Solutions*”), DC Solar Distribution, Inc. (“*Distribution*”), DC Solar
 3 Freedom, Inc. (“*Freedom*,” and together with Solutions and Distribution, “*DC Solar*”) and Double
 4 Jump, Inc. (“*DJ*,” and together with DC Solar, the “*Estate*”), for an Order Approving Compromise
 5 And Settlement Agreement with Radian Generation LLC (“*Radian*”) and for Award of
 6 Contingency Fee.

7 In accordance with District Court Administrative Order 2020-14, hearing on the matter was
 8 conducted by telephone. Appearance was made on the Trustee’s behalf by Solomon B. Genet, Esq.
 9 Any other appearances were noted on the record.

10 The Court has considered the presentations of counsel and based upon the entire record,
 11 stated its findings of fact and conclusions of law on the record as permitted by F.R.C.P. 52, made
 12 applicable to this proceeding by F.R.B.P. 9014(c) and 7052. The Court also makes the following
 13 specific findings of fact and conclusions of law:

14 1. Notice of hearing on the Trustee’s Motion was proper and in accordance with applicable
 15 rules. Certificate of Service [ECF No. 2882].

16 2. Based upon the entire record, the Court finds and concludes that (A) Trustee Lovato’s
 17 request for approval of the Settlement Agreement (defined below) represents the exercise of her
 18 sound, properly informed, business judgment; and (B) the Settlement Agreement is in the best
 19 interests of the Estate and satisfies the requirements of F.R.B.P. 9019.

20 3. The Court also finds and concludes that the Settlement Agreement satisfies the factors
 21 as set forth in In re A&C Properties, Inc., 784 F. 2d 1377, 1381 (9th Cir. 1986), cert. denied, 479
 22 U.S. 854 (1986).

23 Accordingly, and good cause appearing

24 **IT IS ORDERED** that the Trustee’s Motion is granted in its entirety; and

25 **IT IS FURTHER ORDERED** that all the terms and conditions included in the Settlement
 26 Agreement between the Trustee and Radian (“*Settlement Agreement*”), in the form attached as
 27 Exhibit 1 to Trustee Lovato’s supporting declaration [ECF No. 2860], are **APPROVED** and the
 28 Trustee is authorized and directed to enter into, to be bound by, and to carry out the transactions

1 contemplated by the Settlement Agreement; and

2 **IT IS FURTHER ORDERED** that Meland Budwick, P.A., as special litigation counsel,
3 be awarded a 25% contingency fee equal to \$37,500.00 at the time the Trustee receives the
4 Settlement Payment (as defined in the Settlement Agreement), without the need for further Court
5 Order; and

6 **IT IS FURTHER ORDERED** that in accordance with the Settlement Agreement,
7 Radian's filed proof of claim [claim number 56] in the unsecured amount of \$19,500.00 in the
8 DCSS Bankruptcy Case¹ is deemed an allowed general unsecured claim ("Allowed Claim"); and

9 **IT IS FINALLY ORDERED** that the Trustee be, and hereby is authorized to execute any
10 additional documentation as may be required to implement the terms of the Settlement Agreement.

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12 Respectfully submitted by:

13 **HARTMAN & HARTMAN**

14 /s/ Jeffrey L. Hartman
15 Jeffrey L. Hartman, Esq., Attorney for Trustee

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17 **MELAND BUDWICK, P.A.**

18 /s/ Solomon B. Genet
19 Solomon B. Genet, Esq., Attorney for Trustee

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¹ Capitalized terms not defined herein shall have the same meaning ascribed to them in the Motion.

1 **ALTERNATIVE METHOD Re: RULE 9021**

2 In accordance with Local Rule 9021, counsel submitting this document certifies that the order
3 accurately reflects the court's ruling and that (check one):

4 The court has waived the requirement set forth in LC 9021(b)(1).

5 No party appeared at the hearing or filed an objection to the paper.

6 I have delivered a copy of the proposed order to all counsel who appeared at the hearing,
7 any trustee appointed in this case and any unrepresented parties who appeared at the hearing,
8 and each has approved or disapproved the order, or failed to respond as indicated below.

9 *Trustee's Counsel:*

10 Prepared / Approved the form of this order

11 Waived the right to review the order and/or

12 Appeared at the hearing, waived the right to review the order

13 Matter unopposed, did not appear at the hearing, waived the right to review the order

14 Disapproved the form of this order

15 Did not respond to the paper

16 *U.S. Trustee:*

17 Approved the form of this order

18 Disapproved the form of this order

19 Waived the right to review the order and/or

20 Did not respond to the paper

21 Did not appear at the hearing or object to the paper

22 I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with
23 the motion pursuant to LR 9014(g), and that no party has objected to the form or content of
24 the order.

1 I declare under penalty of perjury that the foregoing is true and correct.

2 Submitted by:

3 **MELAND BUDWICK, P.A.**

4 /s/ Solomon B. Genet

5 Solomon B. Genet, Esq., Attorney for Plaintiff

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